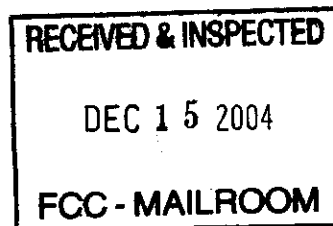




CITY OF RICHMOND
RICHMOND PUBLIC LIBRARY



December 9, 2004

Federal Communication Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: RPL0405 Waiver Request, CC Docket No. 02-06
Form 471 Application Number: 433700
Case #21118735

Dear Colleagues:

We received a notice today from the Schools and Libraries Division of the Universal Services Administrative Company (see attachment) stating that FCC rules do not permit the SLD to consider requests for waivers. They advised us to pursue the appeal process with your office.

Please accept this letter as a formal request for a waiver for the recent 2004 Form 471 application, postmarked on 02/07/04, which was received after the 2004-2005 filing window of February 4, 2004. We deeply regret this administrative oversight, which was discovered by the Library Board following its August 12, 2004 decision to place the library director of the Richmond Public Library on administrative leave pending an investigation. We are hopeful that you will consider this appeal, which is submitted by the Library Board on behalf of the residents of Richmond and the Richmond Public Library. The fiscal consequences of losing the e-rate funding are severe: it will cause a major deficit in the Library's FY05 operating budget that can only be met by reducing services and collections for Richmond City residents. We hope that you will approve this waiver to enable the Library to maintain our high-speed telecommunication infrastructure for public access to Internet services.

The Richmond City Public Library system has over 100 public computers with internet-access. These computers are an irreplaceable resource for disadvantaged students who utilize after-school homework assistance programs at nine facilities as well as a 24/7 online tutorial services. E-Rate is essential to these online services. As you know, Richmond is one of the E-Rate old-timers and we fondly remember E-Rate Funding Year Two, when all applications for services were funded – inside and outside the filing window.

The Library Board and the Library Administration have initiated a number of actions to prevent this oversight in the future. Please do not hesitate to contact Alvin Anderson, Acting Library Director, at 804/646-4257, or email: andersam@ci.richmond.va.us should you have any questions.

We ask for your pardon and hope that you will approve our grant application for FY04/05. Thank you for your consideration.

Sincerely,

Alvin M. Anderson for
Polly Cole
Chair, Library Board

John Ulmschneider
Chair, Finance Committee

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DEC 15 2004

FCC - MAILROOM



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Waiver Request

December 9, 2004

Polly Cole
Richmond Public Library
101 E. Franklin Street
Richmond, VA 23219

Re: Your Request for Waiver of the Form 471 Filing Window deadline
For Program Year 2004-2005

Application Number: 433700
Billed Entity: 126511
Your Correspondence Dated: August 17, 2004

The Schools and Libraries Division received your request, cited above, for a waiver of the Form 471 Filing Window deadline for the Schools and Libraries Universal Service Support Mechanism (E-Rate).

Federal Communications Commission (FCC) rules do not permit the Schools and Libraries Division (SLD) to consider requests for waivers.

If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing a waiver request with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau via e-mail at question@universalservice.org, toll-free via fax at 1-888-276-8736 or toll-free via phone at 1-888-203-8100. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

August 18, 2004

Polly Cole
Richmond Public Library Board
101 E. Franklin Street
Richmond, VA 23219

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DEC 15 2004

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Polly Cole:

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence on August 16, 2004 regarding the 2004-2005 funding decision on your 471 application number 433700. These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decision letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We have begun in-depth review of the appeals we have received, and our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division
Universal Service Administrative Company



Richmond Public Library Board

101 E. Franklin Street
Richmond, VA 23219
(804) 646-4256



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DEC 15 2004

FCC - MAILROOM

August 17, 2004

Polly Cole, Chairman

Clare Osdene Schapiro,
Vice -Chairman

Jacquelyn H. Bolden

Steve Clark

Suzette P. Denslow

Gregory A. Forman

Kathryn J. Monday

Allison S. Pantele

John W. Ulmschneider

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: RPL0405 Waiver Request
Form 471 Application Number: 433700
Case #21118735

Dear Colleagues:

We are sending this letter to request a waiver for the recent Form 471 application, postmarked on 02/07/04, which was received after the 2004-2005 filing window of February 4, 2004. We deeply regret this administrative oversight, which was discovered by the Library Board following its August 12, 2004 decision to place the library director of the Richmond Public Library on administrative leave pending investigation of another matter. We are hopeful that you will consider this appeal, which is submitted by the Library Board on behalf of the residents of Richmond and the Richmond Public Library. The fiscal consequences of losing the e-rate funding are severe: it will cause a major deficit in the Library's FY05 operating budget that can only be met by reducing services and collections for Richmond City residents. We hope that you will approve this waiver to enable the Library to maintain our high-speed telecommunication infrastructure for public access to internet services.

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The Library Board and the Library Administration have initiated a number of actions to prevent this oversight in the future. Please do not hesitate to contact Alvin Anderson, Acting Library Director, at 804/646-4257, or email: andersam@ci.richmond.va.us should you have any questions.

We ask for your pardon and hope that you will approve our grant application for FY05. Thank you for your consideration.

Sincerely,

Polly A. Cole

Polly Cole
Chair, Library Board

John E. Ulmschneider

John Ulmschneider
Chair, Finance Committee

Cc: Library Board Members
Alvin Anderson